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Attorney for Defendant
SINH VAN TRAN

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:20-CR-301-RFB-BNW-2
)	
Plaintiff,)	
)	STIPULATION AND ORDER TO
v.)	CONTINUE SENTENCING
)	
SINH VAN TRAN,)	
)	
Defendant.)	(2nd Request)
)	

IT IS HEREBY STIPULATED by and between VIN SINH TRAN, Defendant, by and through his counsel MICHAEL J MICELI, ESQ, and the United States of America, JACOB OPERSKALSKI, Assistant United States Attorney, that Sentencing in the above-captioned matter currently scheduled February 23, 2023 at the hour of 10:30 a.m., be vacated and continued for sixty (60) days or to a date and time to be set by this Honorable Court.

This Stipulation is entered into for the following reasons:

1. Counsel for defendant has spoken to his client and he has no objection to this continuance.
2. Counsel has spoken to AUSA Jacob Opserskalski and he has no objection to the continuance.
3. Defendant is out on pretrial release.

- 1 4. Counsel will need additional time to adequately review the Presentence
2 Investigation Report and confer with his client regarding the issues and concerns that
3 client has.
4
- 5 5. Denial of this request for continuance would deny the parties herein time and the
6 opportunity within which to effectively and thoroughly research and prepare for
7 sentencing in this case, taking into account the exercise of due diligence.
8
- 9 6. Additionally, denial of this request for continuance would result in a miscarriage of
10 justice.
11
- 12 7. For all the above-stated reasons, the ends of justice would best be served by a
13 continuance of the sentencing date.
14
- 15 8. This is the 2nd request for a continuance of the sentencing date in this case.

DATED this 15th day of February 2023.

PITARO & FUMO, CHTD.

UNITED STATES ATTORNEY

/s/ Michael J. Miceli, Esq.

MICHAEL J. MICELI, ESQ.

601 LAS VEGAS BOULEVARD, SOUTH

LAS VEGAS, NEVADA 89101

ATTORNEY FOR DEFENDANT

SINH VAN TRAN

/s/Jacob Operskalski, Esq.

JACOB OPERSKALSKI, ESQ.

ASSISTANT UNITED STATES ATTORNEYS

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1	UNITED STATES OF AMERICA,)	2:20-CR-301-RFB-BNW-2
2)	
3	Plaintiff,)	
4	v.)	FINDINGS OF FACT AND
5	SINH VAN TRAN,)	CONCLUSIONS OF LAW
6	Defendant.)	(1st Request)
7)	

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

This Stipulation is entered into for the following reasons:

1. Counsel for defendant has spoken to his client and he has no objection to this continuance.
2. Counsel has spoken to AUSA Jacob Operskalski and he has no objection to the continuance.
3. Defendant is out on pretrial release.
4. Counsel will need additional time to adequately review the Presentence Investigation Report and confer with his client regarding the issues and concerns that client has.
5. Denial of this request for continuance would deny the parties herein time and the opportunity within which to effectively and thoroughly research and prepare for sentencing in this case, taking into account the exercise of due diligence.
6. Additionally, denial of this request for continuance would result in a miscarriage of justice.
7. For all the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing date.
8. This is the 2nd request for a continuance of the sentencing date in this case.

CONCLUSIONS OF LAW

The end of justice served by granting said continuance outweigh the best interest of the public and defendants in a speedy trial since the failure to grant said continuance would likely result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing taking into account the exercise of due diligence.

ORDER

IT IS ORDERED that Sentencing currently scheduled for February 23, 2023 at the hour of 10:30 a.m. be vacated and continued to this 25th day of April, 2023, at the hour of 2:30 p.m. in Courtroom 7C.

DATED this 16th of February, 2023.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE